IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 24659 of 2007(I)

PETITIONERS:
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1. N.P. BABY,
   LIBRARY ASSISTANT, ST. PETER'S COLLEGE,KOLENCHERRY
   RESIDING AT NJATTUTHOTTIYIL HOUSE,MAZHUVANNOOR P.O
   SOUTH MAZHUVANNOOR-686 669.

2. A.P. PAULOSE,
   LIBRARY ASSISTANT, ST. PETER'S COLLEGE,KOLENCHERRY
   RESIDING AT ATHIKAKUZHIYIL HOUSE, KADAYIRIPPU,
   PIN-682 311.

BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.DEEPU LAL MOHAN

RESPONDENTS:
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1. STATE OF KERALA,
   REPRESENTED BY THE SECRETARY TO GOVERNMENT,
   HIGHER EDUCATION DEPARTMENT,GOVERNMENT
   SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY TO GOVERNMENT,
   FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

3. THE DIRECTOR OF COLLEGIATE EDUCATION,
   DIRECTORATE OF COLLEGIATE EDUCATION,
   VIKAD BHAVAN, THIRUVANANTHAPURAM.

4. ST. PETER'S COLLEGE,
   REPRESENTED BY ITS PRINCIPAL, KOLENCHERRY,
   ERNAKULAM DISTRICT.

BY GOVERNMENT PLEADER SRI.T.T.MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.24659 OF 2007

Dated this the 14th day of August, 2007

JUDGMENT

Petitioners are stated to be working as Library Assistants in St. Peter's College, Kolencherry under the management of respondent no.4. According to them, they had joined service in the college as Last Grade Staff in the year 1981. Later, petitioner no.1 was promoted as Attender in the year 1986 as could be seen from Ext.P1. While working as Attender, petitioner no.1 was promoted as Lab Attender and then promoted as Library Assistant with effect from October 8, 1986. On re-designation of the post, the post of Library Attender was re-designated as Library Assistant. In 1996, petitioner no.1 was granted higher grade in the category of Lab/Library Assistant and in 2004 he was granted Grade-II.

2. As far as petitioner no.2 is concerned, he had entered service as last grade servant in the year 1981. As in the case of petitioner no.1, he was also promoted and posted as Attender and later as Library Assistant. Later, petitioner

no.2 was granted Higher Grade and Grade-II as in the case of petitioner no.1. The common grievance of the petitioners is that they have not been granted the benefit of pay revision attached to the post of Library Assistant and they have been forced to stagnate.

3. Anyhow, I do not propose to deal with the above contentions at this stage, in view of the limited prayer made by the learned counsel for the petitioners at the Bar. He submits that petitioners have preferred Ext.P3 representation before respondent no.1 highlighting all their grievances and relevant aspects of the issue. The Principal of the College has also submitted Ext.P4 representation drawing the attention of the Government in this regard. The prayer is to issue an appropriate direction to respondent no.1 to consider and take a decision on Exts.P3 and P4 expeditiously.

4. In the above facts and circumstances, writ petition is disposed of with a direction to respondent no.1 to consider and pass orders on Exts.P3 and P4 strictly on their merit and in accordance with law as expeditiously as possible, at any

rate, within four months from the date of receipt of a copy of this judgment. Respondent no.1 shall ensure that the petitioners, and all others who are likely to be affected by any order that may be passed, are afforded sufficient opportunity to be heard before any decision is taken. Petitioners shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance. It will be open to the petitioners to submit a detailed representation before respondent no.1 over and above Ext.P3 , if so, advised.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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